

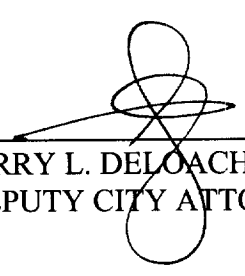
Entered - 05/23/03 - sb
CL - 03L0410 LISA CARTER

03-*R*-1153

CLAIM OF: KATHRYN ALLEN
408 5th Street #2
Atlanta, Georgia 30308

For vehicular damages alleged to have been sustained during the
removal of a stump on May 5, 2003 at 407 5th Street.

THIS ADVERSED REPORT IS APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSED
AUG 18 2003

ADVERSE REPORT

COMM: *Public Safety*
DATE: *7/29/03*
CHAIR: *Cleta Benson*
C. J. Martin
Raymond
7/29/03

Atlanta City Council President
AUG 18 2003
CERTIFIED
Lisa M. Hubbard

AUG 18 2003
CERTIFIED
Renee Douglas Johnson
MUNICIPAL CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

August 27, 2003

Kathryn Allen
408 5th Street
2
Atlanta, GA 30308

03-R-1153

Dear Ms. Allen:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on August 18, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0410

Date: July 11, 2003

Claimant /Victim KATHRYN ALLEN

BY: (Atty) (Ins. Co.) _____

Address: 408 5th Street Atlanta, Georgia 30308

Subrogation: _____ Claim for Property damage \$ 255.07 Bodily Injury \$ _____

Date of Notice: 05/23/03 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) _____ X

Date of Occurrence 05/05/03 Place: 407 5th Street

Department Parks, Recreation and Cultural Affairs Bureau: Parks Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained damages to her vehicle during the removal of a stump at 407 5th Street. However, the city is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written X Oral _____

Pictures X Diagrams _____ Reports: Police _____ Dept Report X Other X

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 07.14.03

Committee Action: _____ Council Action _____

RCS# 4947
8/18/03
2:06 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PGS. 1-11, EXCEPT:03-R-1165,
03-R-1170, 03-R-1171,03-R-1172,03-R-1210
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4948
8/18/03
2:07 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I
03-R-1170, 03-R-1171, 03-R-1172, 03-R-1210
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	B Archibong	Y Moore	A Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

		8/18/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 03-O-1105 2. 03-O-0720 3. 03-O-0780 4. 03-R-1169 5. 03-R-1197 6. 03-R-1198 7. 03-R-1199 8. 03-R-1200 9. 03-R-1201 10. 03-R-1168 11. 03-R-1170 12. 03-R-1171 13. 03-R-1172 14. 03-R-1209 15. 03-R-1210 16. 03-R-1173 17. 03-R-1174 18. 03-R-1184 19. 03-R-1189 20. 03-R-1190 21. 03-R-1211 22. 03-R-1194 23. 03-R-1195 24. 03-R-1196 25. 03-R-1176 26. 03-R-1177 27. 03-R-1178 28. 03-R-1179 29. 03-R-1180 30. 03-R-1192	31. 03-R-1138 32. 03-R-1139 33. 03-R-1140 34. 03-R-1141 35. 03-R-1142 36. 03-R-1143 37. 03-R-1144	38. 03-R-1145 39. 03-R-1146 40. 03-R-1147 41. 03-R-1148 42. 03-R-1149 43. 03-R-1150 44. 03-R-1151 45. 03-R-1152 46. 03-R-1153 47. 03-R-1154 48. 03-R-1155 49. 03-R-1156 50. 03-R-1157 51. 03-R-1158 52. 03-R-1159 53. 03-R-1160 54. 03-R-1161 55. 03-R-1162 56. 03-R-1163 57. 03-R-1164

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4947)

Items Removed from the Consent Agenda: 03-R-1165; Mitchell abstained on 03-R-1170; 03-R-1171; 03-R-1172; & 03-R-1210